

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

DANA WOOTEN, Individually,)	
and as Next of Kin of)	
D.R., a Minor,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	1:14cv679-MHT
)	(WO)
GENEVA CITY SCHOOL)	
DISTRICT, et al.,)	
)	
Defendants.)	

ORDER

It is ORDERED as follows:

(1) Defendants' motion to strike (doc. no. 45) is denied.

(2) However, to the extent defendants are merely objecting to the admissibility of evidence, plaintiff is allowed until May 9, 2017, to respond.

In resolving the pending summary-judgment motion, the court has implicitly considered the motion to strike as a notice of objections to the testimony

described. See Norman v. Southern Guar. Ins. Co., 191 F. Supp. 2d 1321, 1328 (M.D. Ala. 2002); Anderson v. Radisson Hotel Corp., 834 F. Supp. 1364, 1368 n. 1 (S.D. Ga. 1993). The court is capable of sifting evidence, as required by the summary-judgment standard, without resort to an exclusionary process, and the court will not allow the summary-judgment stage to degenerate into a battle of motions to strike. Rather, as is apparent from this order, the court will entertain briefs on the admissibility of evidence.

DONE, this the 28th day of April, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE